

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Case No. 07-CV-7817 (JGK)
Case No. 07-CV-7836 (JGK)

**[PROPOSED] ORDER DISMISSING
MOTION TO VACATE WITH
PREJUDICE AND CONFIRMING
ARBITRATION AWARD**

MORGAN STANLEY DW INC.

Respondent.

MORGAN STANLEY & CO., INC.,

Petitioner,

MICHAEL M. KOWNACKI

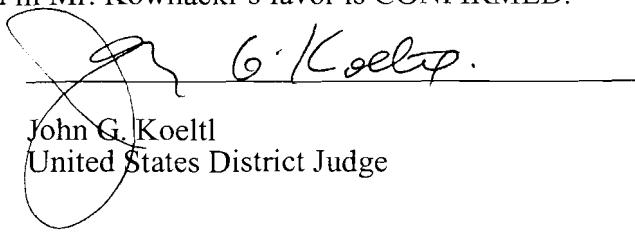
Respondent.

Upon consideration of the parties' Stipulation Dismissing Motion To Vacate With Prejudice And Requesting Confirmation of Arbitration Award, for good cause shown, it is hereby ORDERED that:

Michael M. Kownacki's petition to vacate and complaint are DISMISSED WITH PREJUDICE; and it is further ORDERED that;

Morgan Stanley's petition for confirmation of arbitration award is GRANTED and the
June 6, 2007 New York Stock Exchange award in Mr. Kownacki's favor is CONFIRMED.

Dated: New York, New York
April 2, 2008


John G. Koeltl
United States District Judge